

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

H. STANLEY GASS and UTE LINDSAY
GASS,

v.
Plaintiffs,

ALBERT F. SCHLOTFELDT,
CHRISTOPHER E. ROY, and DUGGAN,
SCHLOTTFELDT & WELCH, PLLC,
Defendants.

Case No. C05-5602JKA

ORDER STRIKING PARTY PLAINTIFF,
STRIKING MOTION TO PROCEED *IN
FORMA PAUPERIS*, AND DEFERRING
PAYMENT OF FILING FEE UNTIL
NOVEMBER 10, 2005

THIS MATTER comes before the court on plaintiffs' Motion for Removal of Litigant and Additional Time to Pay Fee.

On September 26, 2005, this court directed plaintiffs to submit further information in support of their application to proceed *in forma pauperis*. The order specifically directed financial information regarding plaintiff, Ute Gass.

Subsequently, plaintiffs filed this motion to remove Ute Gass as a party plaintiff and requesting until November 10, 2005 for plaintiff H. Stanley Gass to pay the \$250 filing fee.

Having reviewed the files and records herein, the court hereby orders as follows:

1. Ute Gass is hereby deleted as a party plaintiff in this action;
2. Plaintiffs' Motion to Proceed In Forma Pauperis is stricken as moot;
3. Plaintiff, H. Stanley Gass, shall pay the filing fee of \$250 no later than November 5, 2005. Failure to pay the filing fee may result in a dismissal without prejudice.

Dated this 8th day of November, 2005

/s/ J. Kelley Arnold
U.S. Magistrate Judge, J. Kelley Arnold

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